

## Chapter 25 General Requirements for State Officers and Employees

### Part 1 General Provisions

#### **67-25-101 Title.**

This chapter is known as "General Requirements for State Officers and Employees."

Enacted by Chapter 442, 2011 General Session

#### **67-25-102 Definitions.**

As used in this chapter:

- (1) "Career service employee" is as defined in Section 67-19-3.
- (2) "Executive branch elected official" means:
  - (a) the governor;
  - (b) the lieutenant governor;
  - (c) the attorney general;
  - (d) the state treasurer; or
  - (e) the state auditor.
- (3) "Executive branch official" means an individual who:
  - (a) is a management level employee of an executive branch elected official; and
  - (b) is not a career service employee.
- (4) "State agency" means a department, division, board, council, committee, institution, office, bureau, or other similar administrative unit of the executive branch of state government.

Amended by Chapter 425, 2013 General Session

### Part 2 Work Week

#### **67-25-201 State agency work week.**

- (1) Except as provided in Subsection (2), and subject to Subsection (3):
  - (a) a state agency with five or more employees shall, at least nine hours per day on Monday, Tuesday, Wednesday, Thursday, and Friday to provide a service required by statute to another entity of the state, a political subdivision, or the public:
    - (i) in person;
    - (ii) online; or
    - (iii) by telephone; and
  - (b) a state agency with fewer than five employees shall, at least eight hours per day on Monday, Tuesday, Wednesday, Thursday, and Friday, provide a service required by statute to another entity of the state, a political subdivision, or the public:
    - (i) in person;
    - (ii) online; or
    - (iii) by telephone.
- (2)

- (a) Subsection (1) does not require a state agency to operate a physical location, or provide a service, on a holiday established under Section 63G-1-301.
- (b) Except for a legal holiday established under Section 63G-1-301, the following state agencies shall operate at least one physical location, and as many physical locations as necessary, at least nine hours per day on Monday, Tuesday, Wednesday, Thursday, and Friday to provide a service required by statute to another entity of the state, a political subdivision, or the public:
  - (i) the Department of Technology Services, created in Section 63F-1-103;
  - (ii) the Division of Child and Family Services, created in Section 62A-4a-103; and
  - (iii) the Office of Guardian Ad Litem, created in Section 78A-6-901.
- (3) A state agency shall make staff available, as necessary, to provide:
  - (a) services incidental to a court or administrative proceeding, during the hours of operation of a court or administrative body, including:
    - (i) testifying;
    - (ii) the production of records or evidence; and
    - (iii) other services normally available to a court or administrative body;
  - (b) security services; and
  - (c) emergency services.
- (4) This section does not limit the days or hours a state agency may operate.
- (5) To provide a service as required by Subsection (1), the chief administrative officer of a state agency may determine:
  - (a) the number of physical locations, if any are required by this section, operating each day;
  - (b) the daily hours of operation of a physical location;
  - (c) the number of state agency employees who work per day; and
  - (d) the hours a state agency employee works per day.
- (6) To provide a service as required by Subsection (2)(b), the chief administrative officer of a state agency, or a person otherwise designated by law, may determine:
  - (a) the number of physical locations operating each day;
  - (b) the daily hours of operation, as required by Subsection (2)(b), of each physical location;
  - (c) the number of state agency employees who work per day; and
  - (d) the hours a state agency employee works per day.
- (7) A state agency shall:
  - (a) provide information, accessible from a conspicuous link on the home page of the state agency's website, on a method that a person may use to schedule an in-person meeting with a representative of the state agency; and
  - (b) except as provided in Subsection (8), as soon as reasonably possible:
    - (i) contact a person who makes a request for an in-person meeting; and
    - (ii) when appropriate, schedule and hold an in-person meeting with the person that requests an in-person meeting.
- (8) A state agency is not required to comply with Subsection (7)(b) to the extent that the contact or meeting:
  - (a) would constitute a conflict of interest;
  - (b) would conflict or interfere with a procurement governed by Title 63G, Chapter 6a, Utah Procurement Code;
  - (c) would violate an ethical requirement of the state agency or an employee of the state agency; or
  - (d) would constitute a violation of law.

Amended by Chapter 433, 2013 General Session

**Part 3**  
**Restrictions on Outside Employment**

**67-25-301 Title.**

This part is known as "Restrictions on Outside Employment."

Enacted by Chapter 425, 2013 General Session

**67-25-302 Restrictions on outside employment by executive branch employees.**

- (1) An employee who is under the direction or control of an executive branch elected official may not engage in outside employment that:
  - (a) constitutes a conflict of interest;
  - (b) interferes with the ability of the employee to fulfill the employee's job responsibilities;
  - (c) constitutes the provision of political services, political consultation, or lobbying;
  - (d) involves the provision of consulting services, legal services, or other services to a person that the employee could, within the course and scope of the employee's primary employment, provide to the person; or
  - (e) interferes with the hours that the employee is expected to perform work under the direction or control of an executive branch elected official, unless the employee takes authorized personal leave during the time that the person engages in the outside employment.
- (2) An executive branch official shall be subject to the same restrictions on outside employment as a career service employee.
- (3) This section does not prohibit an employee from advocating the position of the state office that employs the employee regarding legislative action or other government action.

Enacted by Chapter 425, 2013 General Session